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Are We Violating the Human Rights of the World's Poor? Responses to Four Critics; Appendix C: Comments by Richard Arneson

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Appendix C:

Comments by Richard Arneson¹

Over the past two decades or so, Thomas Pogge has produced creative, insightful, provocative, and plausible analyses of a momentously important issue: what do wealthy countries and wealthy people owe to the global poor? The core of his analysis is that whether or not we have positive duties of beneficence to aid the poor is not so important. This is so because we are anyway wrongfully harming the global poor. Negative duties not to harm are generally more stringent and binding than positive duties to aid, and in view of the magnitude of the harms that severe poverty induces, wrongfully inflicting severe poverty on people is grievously wrong.

His account of how wealthy countries and people harm the poor is complicated. In brief, people in wealthy countries support and benefit from an institutional order that harms the poor. There is a human right, recognized to some degree in current international law, that people not suffer severe poverty. This means that it is of sufficient moral importance that people have secure access to an adequate standard of living to justify duties that fall on other people—collectives and individual—to ensure that people do have secure access. The duties here are duties to respect, protect, facilitate, and provide. But you don't violate the right in question when you just refrain from acting, when you could, to help fulfill the right. A right could be unfulfilled even though no one violates it. Pogge writes that there is a violation "only if there are one or more human agents who are bringing about the un-fulfillment of the human right in question even while they could and should have known that their conduct would have this result" (9). Being a bystander does not suffice to make you a rights violator; you must act in a way that foreseeably causes non-fulfillment, and there must be some alternative action available to you that would instead fulfill or better fulfill the right in question at a cost to you that is not disproportionate to what is at stake.

Pogge's account of how we nowadays massively violate the human rights of the poor weaves together controversial empirical claims.² This comment sets these empirical issues aside and focuses on some moral issues.

Some people, including me, hold that "we" (well-off people) are strictly

1. Professor of Philosophy at the University of California, San Diego.

2. On the empirical issues, see, for example, Joshua Cohen, *Philosophy, Social Science, Global Poverty*, in THOMAS POGGE AND HIS CRITICS (Alison M. Jaggar, ed., 2010).

obligated to aid the poor because very often aiding would bring about a better outcome than what would occur if we instead did anything else. The correct morality is act consequentialism: One morally ought always to do some act, among the available alternatives, that would bring about an outcome no worse than what would have been brought about if one had instead done anything else.³ Pogge disagrees. He accepts a conventional non-consequentialist morality. Let's not challenge this. For purposes of this discussion we assume that the fundamental moral principles that determine what one ought to do include deontological constraints and options: Each person has a Scheffler prerogative to pursue her own projects and aims, up to some point, even when doing that does not lead to greater good, and each of us is bound up to some point by constraints against wrongfully harming others even when doing so would lead to greater good. Accepting that framework, the question is still open, whether a moral duty of beneficence is a major component of morality. I shall also assume, following R.M. Hare, that in nonconsequentialist morality there are different levels of moral thinking, a level of fundamental principles that determines what we ought to do, and further levels, of law, social norms, and public morality, that are roughly speaking to be assessed as tools for promoting the fulfillment of fundamental level principles.⁴ This discussion stays at the fundamental principle level.

To appreciate some of the interesting innovations in Pogge's proposals, consider a claim advanced by Robert Nozick in 1974.⁵ Nozick asks us to consider two people who have nothing to do with each other. Maybe they live on separate islands. They could interact. One is better off, one worse off. Nozick says that if the better off person legitimately owns her property and has no strict enforceable moral duty of beneficence to help alleviate the plight of the worse off person, then merely interacting by engaging in mutually voluntary mutually beneficial trades does not trigger new demanding duties on the part of the better off person to improve the condition of the worse off person. This result holds even if trade relations become stable: just engaging in trade does not somehow trigger the application of egalitarian norms such as the difference principle.

Pogge disagrees. He denies the premise, that in this scenario the property holdings of the better off person are (likely to be) morally legitimate,

3. To a first approximation, this is Peter Singer's view. Peter Singer, *Famine, Affluence, and Morality*, 1 PHIL. & PUB. AFFAIRS 229 (1972). Singer in this essay does not quite espouse act utilitarianism, or any version of act consequentialism, but the differences between act utilitarianism and what he is committed to in that essay are minor. (One large question, though, is whether in being committed to act consequentialism as what morality requires one is thereby committed to act consequentialism as an account of practical reason — of what one has reason to do all things considered.)

4. R. M. HARE, *MORAL THINKING: ITS LEVELS, METHOD, AND POINT* (1981). "Roughly speaking," because a deontological account of levels of moral thinking will choose derivative level norms not simply according to the (deontically weighted) consequences of their acceptance and implementation, but also by giving weight to respecting constraints in the process of establishing the norms at the derivative level and sustaining them in operation at that level.

5. ROBERT NOZICK, *ANARCHY, STATE, AND UTOPIA* at ch. 3 (1974).

given a bloody world history filled with conquests and massacres and colonial empires. Even if we forget the distant past and restrict our attention to recent history, we cannot use Nozick's thought experiment as a guide to what we owe the global poor, because our current wealth derives from recent immoral conduct. Pogge also denies Nozick's claim that interacting with someone when you have no prior duty to aid that person cannot trigger the application of new egalitarian duties. He asserts that there is a human right to access to a decent standard of living, that if you do not have anything to do with a person you do not violate this right, but if you do interact, your acts affecting the person count as harming her if they make the person foreseeably worse off than she would be if rights were fulfilled provided the cost to you of not harming with respect to that baseline would not be too onerous.

So suppose there is a human right to a decent standard of living and in Nozick's example the worse-off person falls \$10,000 below the standard. Again, according to Pogge, if you do not interact with the person at all and do not causally affect her in any way (you don't emit polluting gases that foul her stream, for example), you violate no moral rights of the person. But if you interact, and you are very well off, and could, say trade a banana from the other person for \$10,000, you are morally bound to interact on those terms and you violate the person's human rights if you do not. Suppose instead you trade a banana for some mutually agreed mutually beneficial price, say a dollar. According to Pogge you harm the person by interacting with the person in a way that foreseeably brings it about that his human right to access to a decent standard of living is unfulfilled when that is the morally required moral baseline for assessing whether wrongful harm is being inflicted, given that you have available another course of action that is not too costly for you and that would bring it about that the right is fulfilled. Pogge thinks the odd feature of the situation in his characterization of it is just a consequence of there being a morally important difference between doing and allowing and hence between being a bystander with respect to a situation and doing something that affects the outcome.

Some will agree with Pogge that when you have no moral duty to help someone, interacting with the person by way of mutually beneficial mutually agreed upon trade can count as a rights violation, because interaction triggers a higher standard of duty.⁶ (For example, many will agree that you have no duty to date or marry any other person, but if you do date or marry, a higher standard of duty is triggered. If you marry, you must marry on egalitarian terms.) I disagree.

Contrary to Pogge, what we should see is that you cannot generally determine whether someone's interaction with another counts as wrongfully harming that person unless you know what duties the person has or does

6. According to A. J. Julius, if you act toward another with the aim of inducing that person to act in a way that will redound to your benefit, special moral duties are triggered, that are dormant if you have nothing at all to do with the person. See A.J. Julius, *Basic Structure and the Value of Equality*, 31 PHIL. & PUB. AFFAIRS 321 (2003).

not have to aid the person prior to any interaction. If there is a moral duty to effect easy or moderately difficult rescue when you are uniquely situated to save a person from grave peril, then you should save the person without demanding payment for service, and if you refuse to save the person unless he agrees to payment, you are behaving wrongly, wrongfully harming the person. If on the other hand there is no moral duty of beneficence that includes a duty to effect easy or moderately difficult rescue in these circumstances, then you are at liberty to negotiate with the person and charge a service for providing the service of saving him from peril. If you are under no duty to aid the worse off person in Nozick's isolated islanders example, then you do not wrongfully harm the person when you trade with the person on mutually agreed upon and mutually beneficial terms even if that leaves the person very badly off.

This simple point immediately casts a dark shadow on Pogge's account of how the global international order harms the poor. If France has no duty to have anything at all to do with poor African farmers, it does no wrong to them when it erects trade barriers that ensure that only French farmers have the opportunity to sell food to French food consumers. And no wrong is done when a French state agency, perhaps engaging in hard bargaining, strikes a deal with a consortium of poor African farmers, a deal that leaves the farmers in poverty when the French could afford to trade on terms that eliminate or greatly alleviate that poverty. Of course, there are things the French can do that would wrongfully harm the French farmers even if there no duty of beneficence to improve their condition independently of interaction. If the French lie to the Belgians so that a better food purchase trade deal that Belgians would have struck with the African farmers never gets made, that counts as wrongful harm for familiar reasons. And there are other things the French could do that would unjustly distort the set of options for economic dealing that the African farmers face.

Forget act consequentialism. Recall, we are accepting a nonconsequentialist moral framework. Still, what counts as wrongfully harming people by interacting with them can depend on whether one has strict moral duties to aid them independently of interaction. I say, a reasonable nonconsequentialist morality should include a strong beneficence component, which will then constrain what it is morally acceptable for the better off person to do by way of negotiating and trading in Nozick's example, and will constrain what it is morally acceptable for the French agencies to do by way of negotiating and trading with the poor African farmers just described. What you cannot do is what, as I read him, Pogge does. He says we can set to the side the issue of beneficence, because independently of whether there are positive duties of beneficence and what the shape of such a duty might be, we can show that we wealthy people are wrongfully harming the global poor in everyday actions by causing nonfulfillment of their human right to a decent standard of living.

Turn now to a large and difficult topic, which cannot properly be addressed in a short comment. What I will say just scratches the surface.

Pogge's account of how the global order wrongfully harms the poor, and how, therefore, those who support and benefit from the global order wrongfully harm the poor, is fascinating, and raises many issues about the nature of deontological constraints and the nature of collective agency and responsibility and their relationship to individual agency and responsibility. To his credit, as others have observed, Pogge does not leave these larger issues hanging, he works out particular views on them and lays them out for his readers to ponder.

For purposes of this discussion, let us accept collective agency and collective responsibility.⁷ Let us assume it makes sense to claim, for example, that the U.S. initiated war on Iraq in 2003 and was morally wrong to do so, and that Wal-Mart ought to establish a network of retail stores selling goods at low prices in India and would be wrong to refrain from doing that. However, nothing immediately follows about individual moral responsibility and individual moral agency. There may be connections, or there may not be. Moreover, in determining what moral constraints apply to an individual and what it is all things considered morally permissible, optional, and required for her to do, the operative idea is counterfactual dependency--what difference would it make if the agent did this rather than some other action available to her. Actual causation is pretty much irrelevant, at most a minor consideration, in determining what the individual should, may, and must do.⁸ (Here I assume without argument that a David Lewis type counterfactual dependence account of causation is not the correct account of causation, but still might be highly relevant to an account of practical reason, what reasons we have for acting and omitting.) In considering these matters, we need to consider both evidence-relative and fact-relative understandings of moral permissibility and duty. Also, we should allow that the agent's motives matter in determining the moral permissibility or otherwise of what she does (as in the doctrine of double effect, for example).

Here is the simplest example of divergence between collective assessment of action and individual assessment. Suppose that Michael and I are criminally conspiring to attack and murder Jeff. Jeff has a right not to be killed, which our killing him would violate. We attack Jeff and kill him. The collective consisting of Dick and Michael has murdered Jeff, and has

7. On collective agency, see, e.g. Philip Pettit, *Responsibility Incorporated*, 117 *ETHICS* 171 (2007). For an example of someone who thinks we can read off individuals wrongdoing from the fact that the individual participates in a collective that is guilty of wrongdoing, see CHRISTOPHER KUTZ, *COMPLICITY: ETHICS AND LAW FOR A COLLECTIVE AGE* (2000).

8. Here I believe I am following Shelly Kagan, *Do I Make a Difference?*, 39 *PHIL. & PUB. AFFAIRS* 105 (2011), though Kagan is discussing consequentialist morality. For an early statement of the idea that counterfactual dependence is what matters for the determination of the permissibility status of actions, see Jonathan Glover, *It Makes No Difference Whether or Not I Do It*, 49 *ARISTOTELIAN SOC. SUPP. VOL.* 171 (1975). To my knowledge, no one has worked out what the counterfactual dependence account would imply for a deontological morality, but that probably just reflects limits of my knowledge of the relevant literature. The idea that the David Lewis type view of causation, though inadequate as an account of causation, is clearly adequate for practical reason, is forcefully argued by Christopher Hitchcock.

acted wrongly. Did I actually do wrong in killing him? Suppose I intentionally fired the bullet that killed Jeff and I intended to bring about this result. Surely I wrongly caused Jeff's death and thus wrongfully killed him? Not necessarily. Suppose that Michael and I are going to fire our guns at Jeff from opposite sides of a canyon. In the situation, it is fixed, beyond my power to control, that Michael will shoot Jeff and that this shot will be, in the circumstances, sufficient to cause death. I suddenly have a change of heart, before I commence shooting. I want now only to do the right thing. But a quirky criminal boss has made a credible promise—if my bullet is the one that actually causes Jeff's death, he will bring about some good effect—say causing someone to be prevented from suffering the damage of a mild case of flu. Suppose my only options are two: (1) shoot now and cause Jeff's death, doing him no harm however (Michael's bullet will certainly hit Jeff a half a second later and would cause death if my bullet does not), and bringing it about that the one person avoids the suffering of mild flu, or (2) refraining from shooting Jeff, which will do him no good at all, and will fail to bring it about that one person avoids the suffering of mild flu. Since what deontological morality constrains me not to do is understood in terms of counterfactual dependence, deontological morality says I ought to kill Jeff in the circumstances as described. (Of course, it was no doubt morally very wrong for me to have conspired with Michael in the past as I did.) Also, the collective assessment of the shooting of Jeff is that the conspiratorial collective consisting of Dick and Michael wrongfully killed Jeff and was grievously morally wrong to do so.

Second example: This is borrowed from Judith Thomson.⁹ Suppose I hand my wife what I believe is a glass of poison, intending to murder her. In fact the stuff is the medicine she must ingest immediately in order to save her life. What I do is clearly morally wrong in the evidence-relative sense. I say what I do is wrong in the fact-relative sense—I ought not hand my wife the medicine with the aim of killing her. What I ought to do in the fact-relative sense is hand her the medicine with the aim of saving her life. If a third party sees me handing (what I think is poison but which is actually) medicine to my wife, and this bystander appreciates all the relevant facts, he should assist me in making sure my wife gets and ingests what is actually the needed medicine. My acting wrongly, and culpably, in this situation shows up as relevant to what the bystander should do if we add a complication: Someone must die in this situation. The bystander sees that I am about to give an involuntary twitch (of glee, say) that will startle my wife, causing her to drop the glass, just before she drinks the medicine. The bystander can save my wife's life only by shooting me after I hand over the medicine but before I twitch. The facts that I am acting in a way that is morally wrong and grievously culpable bring it about that it is morally required that the bystander act in a way that saves the life of the morally in-

9. Judith Jarvis Thomson, *Self-Defense*, 20 PHIL. & PUB. AFFAIRS 283 (1991). My views on the nature of moral rights are heavily indebted to Thomson's views, as articulated in such works as her *THE REALM OF RIGHTS* (1990).

nocent, my wife, at the expense of the morally culpable, me, given that someone must die. What we must not say here is that I am not violating my wife's rights in the fact-relative sense so I have not forfeited my own right to life, however bad my actions reveals my character to be, so the bystander would be violating my rights if he shot me to save my wife's life, given that my involuntary twitch is not wrongful action on my part. (In this example causation and counterfactual dependence run hand in hand.)

Third example: This is a beneficence case. There is a collective of 99 people that is about to undertake a course of action that will save 1000 lives of people in peril. I could join this collective, and if I do, it happens that my action will cause the saving of the 1000, but my joining and causing makes no difference to the outcome. The collective will save exactly 1000 lives whether or not I join it. I have a single alternative course of action: go off on a rescue operation of my own, which will save one life. On a causal analysis, or alternatively on an analysis that says that if I join a collective and participate in its actions, the outcome of the doings of the collective is attributable to me (maybe I am assigned a per capita share of the total), the judgment is that I should not save the one but should join the collective. This would be wrong. Insofar as I have any beneficence obligation, this is an obligation to make my action as effective as possible (for whatever amount of cost and effort deontological beneficence requires me to put forth). If I join the collective, my act makes no difference, results in zero net lives saved, whereas if I go off on my own, my act makes a difference, results in one extra life saved. Again, causation does not matter to the determination of what I should do, and counterfactual dependence does.¹⁰

Fourth example. Overdetermination Case. This one involves Michael and Dick again, now acting independently, not in concert. I aim to murder Jeff, and to achieve this end, I substitute sand for water in his canteen as he goes off on a desert hike. In the circumstances, what I do, with evil intent, makes it the case that Jeff will die whatever Michael does, there is nothing that Michael or anyone else can do to save Jeff. Now Michael shoots a hole in Jeff's canteen, bringing it about that he would die in the desert, whether or not there had been water in the canteen, and this bringing it about that Jeff would have died, even if I had not substituted sand for water in his canteen. This might be thought to pose a difficulty for a counterfactual dependence account: In the circumstances, as the situation is described, Jeff would die whatever I do, and Jeff would die whatever Michael does, so neither Michael's action nor mine is a but-for cause of Jeff's wrongful death, so it is not counterfactually true, in the situation, (1) that if I had not put the sand in his canteen, all else being the same, Jeff would have lived, nor is it true (2) that if Michael had not shot a hole in the canteen, all else being the same, Jeff would have lived. So, the claim goes, on counterfactual dependence construals of moral wrongness, neither Michael nor I acts wrongly.

10. Derek Parfit discusses similar cases, including cases in which, he claims, many people together cause grave harm, but no individual's contribution makes any perceptible difference. DEREK PARFIT, *REASONS AND PERSONS* (1984). See Kagan, *supra* note 8.

This surely defeats the counterfactual dependence account. It is true of course, that Michael and I together killed and indeed murdered Jeff and we together acted wrongly in doing so.

The analysis of such cases is surely going to be delicate, but I deny that there is an insuperable problem here for a counterfactual dependence account of the moral constraints that should play a role in a reasonable deontological nonconsequentialist morality. First, look at Dick's action. He acts with evil intent, and what he does is clearly wrong in the evidence-relative sense (he has no clue that Michael is going to be shooting at the canteen later). And in the fact-relative sense, he does make a difference. He brings it about, as I mentioned previously, that whatever Michael does, Jeff will die, and will in fact die a wrongful death. This is so even though his act is not a but-for cause of death, nor is it obviously the cause of death in the ordinary colloquial sense, nor is it the case that if Dick had not put sand in the canteen, Jeff would not have died, and would not have suffered wrongful death. Regarding Michael, we should note that he acts wrongly in the evidence-relative sense, if he is unaware that there is sand in the canteen, and acts with the intent to murder, on the counterfactual dependence account, and if he is aware that there is sand in the canteen, and is not trying to kill Jeff, he does not act wrongly in the evidence-relative sense. These seem to be the right judgments to make about Michael's actions.

Fifth example. Someone does something that seems pretty bad, wrongfully harmful, but preempts someone doing something worse. Pogge discusses such cases to support the idea that actual causation is the key to the determination of deontological wrongdoing. Suppose I cheat a poor African farmer and carry out a fraudulent exchange at his expense, but if I had not done so, someone else would have interacted with the farmer and done worse. Does the fact that a worse agent is waiting in the wings excuse my wrongdoing, Pogge asks? He expects his readers to agree the answer is "No" and the reason has to do with the fact that my behavior actually caused wrongful harm.

I disagree. First, we need to be clear what the relevant set of options is. If in the right nonconsequentialist morality there is a very strong, enforceable component of morality consisting in a duty of beneficence, then maybe I act wrongly in interacting with this farmer by virtue of failing to carry out my beneficence duties, if they require me to act in a way that benefits him. (Even if my beneficence obligation gives me some leeway as to whom to aid, perhaps any course of actions I could take that would fulfill my beneficence duties would involve helping this African farmer.)

Second, we need to distinguish evidence-relative and fact-relative permissibility.¹¹ If on the facts as described, in the evidence-relative sense, what I do is impermissible, and done with malicious, evil motive, or simply with a motive that fails adequately to embrace concern for the interests of those who are or might be affected by what I do, in the counterfactual de-

11. See PARFIT, *supra* note 10.

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pendence sense, that result seems to me clearly on the right track and adequate in itself to show the counterfactual dependence view is not leading us astray. If I know that if I don't cheat the farmer, someone else will cheat him in a way that will be worse for her, and there is no way I can interact with her without cheating (that would not be worse for her), and if I have no alternative course of action such as just helping her without going through the rigamarole of exchange, then I say, what I do is fact-relative and evidence-relative permissible. If some of the knowledge claims just assumed become false factual beliefs, but beliefs that coincide with the evidence available to me, then in the evidence-relative sense, my cheating the farmer is morally permissible. If what I do, when I just intend to cheat and have no belief about what would happen if I did not cheat her, but the facts are such that my cheating the farmer makes her better off not worse off, and does not involve violation of any mandatory beneficence obligation I have toward her, then in the fact-relative sense, what I do is morally permissible. These judgments all seem correct, or at least very plausible and justifiable pending some counterargument. So the counterfactual dependence account of moral constraints is not impugned by this sort of example.

Suppose we should accept the claims I have been urging about (1) the independence of collective moral responsibility and assessment from individual moral responsibility and assessment when the individual is or could become a member of the collective, (2) the fact that the moral constraints in deontological morality should be understood as defined in terms of counterfactual dependence not actual causation, and (3) the relevance of motive and intention in determining the permissibility status of what agents do as well as the moral praiseworthiness and blameworthiness of agents in doing what they do (or omit). These claims do not overturn Pogge's claims about how collective responsibility and individual moral responsibility interact and how individuals can be and actually generally are wrongfully harming the poor by benefiting from and supporting the global political order, but they surely radically shift our understanding of what has to be shown to vindicate Pogge's claims.

Just assume for the sake of the argument that the global economic order is unjust and wrongfully harms the poor. This is a collective agency claim. Nothing follows about what individuals morally must do or ought to do. For all that has been said, perhaps when I benefit from the global political order, my benefiting does not make a difference to the global poor, does not in any way constitute wrongful harming of them.¹² Maybe the unjust glob-

12. Andrew Altman and Christopher Wellman espouse a view on benefiting from an unjust order that differs from the line this comment affirms. They say that it may be acceptable to accept benefits of injustice provided it is difficult or very costly to refrain from accepting the benefits and provided one compensates the people treated unjustly, by working to end the injustice in question. ANDREW ALTMAN AND CHRISTOPHER HEATH WELLMAN, *A LIBERAL THEORY OF INTERNATIONAL JUSTICE* ch. 6 (2009). Whether or not one agrees with their specific proposal (I do not), this illustrates the point that it is not straightforward, what a deontological morality ought to say about the permissibility or otherwise of benefiting from immoral actions (one's own or others). My own doubts about their view start by wondering: If there is a problem

al order builds a bridge and I benefit by driving over the bridge, but if I had not done so, others would have, or anyway my refraining from benefiting would in no way advance the cause of the global poor. Then maybe I am not doing anything impermissible and not morally at fault in taking advantage of the bridge. Or maybe after more reflection we should see that I am doing what is morally wrong. We need to analyze the case with the tools I have suggested we need to use. What is clear is that what Pogge says does not so far warrant the conclusion he wants to draw – we wrongfully harm the global poor.

What holds for benefiting from the global political order also holds for supporting the unjust political order. Suppose I vote for Bernie Sanders of Vermont, who was a liberal member of Congress. Suppose, as I am sure is true, that he does things that prop up the global economic order, which we are supposing is unjust. Still, maybe my vote is inconsequential – makes no difference to anyone.¹³ Or maybe my failure to vote for a candidate running against Sanders, a radical Green party member who unlike Sanders is a true fire-breathing opponent of the global political order, is inconsequential, because the candidate would have received no more than ten votes even if I had voted for him – not enough to win. If these are the facts, and I appreciate them, then my failing to vote for the Green Party fire-breather is not morally impermissible in either the fact-relative or evidence relative senses. Maybe the facts are different. Maybe votes indicate support for just or unjust policies, and the more injustice is supported at the polls, the more imperialists and colonialists and neo-liberal globalizers feel free to do bad deeds. Maybe even one vote more or less for injustice makes a difference, or expectably might make a difference. Then if I am deciding whether to vote or instead take my mother out for a beer, I must weigh the difference I would make, being convivial with my mother, versus the difference I would make, voting against injustice by voting for the doomed candidate. In a deontological framework, I should give more weight, in determining what I should do, to negative duties not to harm than to positive duties of beneficence (though I have suggested that a reasonable deontology will make beneficence a morally very large component of my duties). But un-

about accepting benefits of injustice, why is working to do away with the injustice adequate to deal with the problem? The chances one's advocacy for justice will be effective may be slight, or even nonexistent. One might suppose that if one accepts ill-gotten gains, one must compensate and maybe fully compensate those who have been treated unjustly. And how much compensation is owed? Suppose one gets a huge benefit from ill-gotten gains (the bad dictator builds economic infrastructure that is incredibly productive). Suppose the unjustly treated lose \$10 in total but the total benefits to passive recipients of ill-gotten gains is, in aggregate, \$30. Must one give the whole \$30 back to the unjustly treated, or \$10, or must each passive recipient give back a per capita share of the \$10, or of the \$30, or what?

13. See JASON BRENNAN, *THE ETHICS OF VOTING* (2011) (containing a thorough analysis of the causal consequences, or lack thereof, of individual acts of voting.) Brennan opts for a moral view that espouses deontological duties regarding voting that do not turn on whether one's vote makes any difference to what happens. For example, he holds it is morally wrong to vote if you do not have reasonable grounds for believing you are voting for the just cause, the side that is morally right – a view which conflicts with the view I assert in this comment.

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less we are moral absolutists who say moral duties not to harm wrongfully may not be acted against come what may, whatever the consequences for nonrightholders if we do not act in this case against the constraining moral duty, then sometimes the calculation will, for example, yield the result that I morally may or must be convivial with my mother even at a cost of (very slightly) supporting injustice.

So “Are We Violating the Human Rights of the World’s Poor?” My suspicion is that we are, and on a massive scale. But I do not see that the framework of analysis that Pogge proposes and the arguments he makes are together adequate to yield an answer to his question. And so far as I can see, this result is robust with respect to the extent to which we agree or disagree with his controversial empirical claims woven into his arguments.